

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

Remarks

The Non-Final Office Action mailed on February 21, 2007 has been carefully reviewed and considered. Claim 4 is herewith canceled, and claims 1, 10 and 19 are amended to more clearly define the invention. Along with claims 1, 10 and 19, claim 9 is amended to replace the phrase "MPEG compliant bitstream" with the phrase "MPEG compliant program bitstream." These changes are purely for grammatical consistency, and do not change the meaning of the subject claims in any way. Accordingly, no change in the scope of equivalents available under the Doctrine of Equivalents should result. Claim 20 is amended to correct an obvious typographical error by removing a clearly redundant "a". No change in the scope of claim 20 occurs because of this change. Therefore, as to claim 20, no change in the scope of equivalents available under the Doctrine of Equivalents should result. In light of the foregoing, claims 1-3, 5, 6, 9-17, 19 and 20 are pending in the Application.

Claims 1-6, 9-11, 14-17 and 19-20 stand rejected under 35 USC §103(a) over United States patent number 6,580,870 to Kanazawa (*hereinafter* Kanazawa) in view of United States patent number 6,370,323 to Adolph et al. (*hereinafter* Adolf).

As discussed in previous responses, the present Application relates to a system and method for transmitting, decoding and displaying data channel information in a format that permits enhanced graphics functionality. Included are a method and apparatus for using DVD sub-picture format information within an MPEG data system to provide data channel information to a receiver.

Claim 1 is herewith amended to include the features of claim 4, and claim 4 is canceled. Accordingly, claim 1 recites in part:

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

A method for providing graphics display, comprising the steps of: receiving a bitstream including an MPEG compliant program bitstream and a DVD subpicture compliant bitstream, wherein a portion of the DVD subpicture compliant bitstream is repeated in said received bitstream...

Emphasis added.

In rejecting canceled claim 4, the Patent Office asserts that the claimed features of a subpicture compliant bitstream that repeats in a received bitstream are described in the Kanazawa reference in figures 12 and 18 and at column 7, lines 11-30 and column 14, line 33+. Applicant respectfully submits that a careful review of Kanazawa, and of all references now of record, reveals no such disclosure.

The Kanazawa reference relates to "a system for reproducing AV information, ... [such as] a reproducing system having an external access function that acquires related information connected with the reproduced stream information from resources on a computer network," (emphasis added). Column 1, lines 8-12. According to Kanazawa, "in a reproducing system with the function of reproducing... title information recorded on a DVD and displaying it on the screen of a display section, when the user clicks a Web mark on the screen, the CPU links to a Web server on the Internet via a modem and accesses the Web page related to the stream information on the screen," (emphasis added). Abstract. After the reproduction of section B2 has been completed (at time E), control proceeds to a display process for canceling the display of the Web mark," (emphasis added). Column 7, lines 26-27.

While Kanazawa states that "[t]he cell command is used to reproduce a specific cell repeatedly," (emphasis added) (column 13, lines 9-10), there is nothing to suggest that this represents repetition in the bitstream. Rather, the subject language clearly refers to repeated reproduction of the received

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

datastream as it is displayed "on the screen of a display section." Abstract. In light of the foregoing arguments, it is clear that the features of canceled claim 4, now incorporated *inter alia* in claim 1, are not taught or suggested by the Kanazawa reference.

The Office Action acknowledges that Kanazawa does not teach or suggest the claimed features of a "DVD subpicture compliant bitstream [that] comprises an interactive graphic having selectable regions that, when selected, causes the display of other DVD subpicture graphics associated with said subpicture compliant bitstream." In an attempt to remedy this deficiency, the Patent Office proposes to combine the substance of the Kanazawa reference with that of the Adolf reference. Applicant respectfully submits that, even accepting *arguendo* the propriety of the proposed combination, Kanazawa and Adolf fail to teach or suggest every claimed feature of the invention. As such, Kanazawa and Adolf, whether taken alone or in combination do not anticipate the present invention or render it obvious.

The Adolf reference relates to "[a]n audio and video decoder for decoding audio, video and a sub-picture streams in a disc player.... [t]he audio and video decoder includes a... command processor [that] includes a transfer mechanism for transferring commands received at a command buffer in the memory to a command FIFO in the memory..." Abstract. As described by Adolf, "[v]ideo display processor 404 decodes the run length encoded bitstream stored in the sub-picture buffer 124-4 creating a 4-colored bitmap graphic image..." Column 8, lines 27-29.

Whether taken alone or in combination, however, Kanazawa and Adolf do not teach or suggest the features of claim 1 including "receiving a bitstream including an MPEG compliant program bitstream and a DVD subpicture compliant bitstream, wherein a portion of the DVD subpicture compliant bitstream is repeated in said received bitstream."

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

Accordingly, the proposed combination of Kanazawa and Adolf, whether taken alone or in combination with the references now of record, does not anticipate or render obvious the claimed invention. Therefore, Applicant respectfully submits that the pending rejection of claim 1 under 35 USC §103(a) is overcome and claim 1 should be allowed.

Pending claims 2, 3, 5, 6 and 9 each depend, directly or indirectly, from claim 1 and incorporate every feature thereof. Accordingly, for at least the reasons given above in relation to claim 1, the rejections of claims 2, 3, 5, 6 and 9 under 35 USC §103(a) over Kanazawa in view of Adolf are overcome.

Claim 10 is amended to include the features of "a portion of the DVD subpicture compliant bitstream [that] is repeated in said received bitstream." Accordingly, the rejection of claim 10 under 35 USC §103(a) over Kanazawa in view of Adolf is overcome for at least the reasons given above in relation to claim 1.

Claims 11 and 14-17 each depend, directly or indirectly, from claim 10 and incorporate every feature thereof. Accordingly, for at least the reasons given above in relation to claim 10, the rejections of claims 11 and 14-17 under 35 USC §103(a) over Kanazawa in view of Adolf are also overcome.

Claim 12 stands rejected under 35 USC §103(a) over Kanazawa in view of Adolph and in further view of United States patent number 6,211,800 to Yanigahara et al. (*hereinafter* Yanigahara). Claim 12 depends directly from claim 11 and incorporates every feature thereof. Inasmuch as the Yanigahara reference in no way teaches or suggests the features of a "portion of the DVD subpicture compliant bitstream [that] is repeated in said received bitstream," the rejection of claim 12 under 35 USC §103(a) over Kanazawa in view of Adolf and in further view of Yanigahara is also overcome.

Claim 13 stands rejected under 35 USC §103(a) over Kanazawa in view of Adolph and in further view of United States patent number 6,344,836 to Suzuki (*hereinafter* Suzuki). The Suzuki reference also does not teach or

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

suggest the features of "a portion of the DVD subpicture compliant bitstream [that] is repeated in said received bitstream." Accordingly, the rejection of claim 13 under 35 USC §103(a) over Kanazawa in view of Adolf and in further view of Suzuki is likewise overcome.

Like claims 1 and 10, amended claim 19 includes the features of "a portion of the DVD subpicture compliant bitstream [that] is repeated in said received bitstream." Accordingly, the rejections under 35 USC §103(a) over Kanazawa in view of Adolf of claim 19, and of dependent claim 20, are also overcome.

In light of the foregoing amendments and arguments, all claims now in the Application are patently distinguishable over the references of record and in immediate condition for allowance. Accordingly, prompt allowance of all pending claims and passage of this Application to issue is earnestly solicited.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (609) 734-6440 in Princeton, New Jersey.

No petition for extension of time is believed to be required in this response. If required, the Commissioner is hereby petitioned, under 37 C.F.R. § 1.136 (a), to extend the time for filing a response to an outstanding Office Action, or any communication filed in this application by this company, by the number of months which will avoid abandonment under 37 C.F.R. § 1.135.

Best Available Copy

MAY 21 2007 09:21 FR THOMSON LICENSING 609 734 6888 TO 79315712738300 P.12

Serial No. 09/603,339
Customer No. 24498

Docket No. RCA-88878

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 07-0832 of Thomson Inc., under Order No.: 88,878.

Respectfully submitted,

Catherine A. Ferguson
By: Catherine A. Ferguson
Attorney for Applicant[s]
Reg. No. 40,877
Phone (609) 734-6440

Patent Operations
THOMSON Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.